

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MAY 21, 2014

The Southeast Cass Water Resource District met on May 21, 2014, at 8:30 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Mark Brodshaug, Chairman; Dan Jacobson, Manager; Lance Yohe, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Chad Engels and Kurt Lysne, Engineers for the Board; Brady Woodard and Kyle McCamy, Moore Engineering, Inc.; Vern Bennett, Cass County Commissioner; George Grossman, City of West Fargo; Bob Backman, River Keepers; Jason Benson, Cass County Engineer; Steve Griffin, Strata Corporation; Barbara Olive, Reed Township resident; Mike Peterson and Martin Miller, Amber Plains Subdivision residents.

Minutes

It was moved by Manager Jacobson, seconded by Manager Yohe and unanimously carried to approve the minutes of the April 16 and May 1, 2014, meetings.

Approval of agenda

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the order of the agenda, as amended.

Amber Plains Subdivision drainage plan

Mike Peterson and Martin Miller met with the Board to discuss the Amber Plains Subdivision drainage plan. Mr. Peterson discussed different options for the development, and said Amber Plains Subdivision residents are willing to pay all costs.

Chad Engels explained the permitting process and said a drainage permit would be required from the State Engineer and the Water Resource District if the potential drainage project watershed area is more than 80 acres. The Board made the recommendation to Mr. Peterson and Mr. Miller that they research the watershed acreage for a potential project before moving forward. Sean Fredricks suggested they also seek permission from the City of Fargo.

Sheyenne-Maple Flood Control Projects – Close-out update

Kurt Lysne said the process to close-out the Sheyenne-Maple Flood Control Projects is nearly complete. He will update the Board on the matter at a future meeting.

Sheyenne-Maple Flood Control Projects – Lease Agreement with Tom Beaton

It was moved by Manager Jacobson and seconded by Manager Yohe to approve and authorize the Chairman to sign the *Lease Agreement* with Tom Beaton. Upon roll call vote, the motion carried unanimously.

Brady Woodard said there is a slide on the north tieback levee of Sheyenne-Maple Flood Control District #1, north of Cass County Highway 10, that may need repair.

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize Moore Engineering, Inc. to survey the north tieback levee of Sheyenne-Maple Flood Control District #1 to create the proper grade for the City of West Fargo to do the repair work needed north of Cass County Highway 10. Upon roll call vote, the motion carried unanimously. Mr. Woodard has been working on an inspection of all Southeast Cass Water Resource District facilities, and will present a list of necessary repairs and cost-estimates of work needed when surveying is complete.

George Grossman said both gates on the project will be opened today and he will monitor any cleanout work that may need to be done.

Drain reassessments

Mr. Engels distributed information regarding the 2014 Drain Reassessment Analysis for Drains #3, #9, #10, #21, #40 and #45, and displayed a map with the proposed new assessment district boundaries for the drains.

The Board discussed holding a reassessment hearing in August 2014. The matter will be discussed further at a future meeting.

Drain #10 – slope repairs adjacent to Cass County Highway 81 and Hector International Airport

Mr. Engels distributed a map showing slides on Drain #10 adjacent to Cass County Highway 81 and Hector International Airport and said the City of Fargo has requested that Southeast Cass Water Resource District finish the necessary repairs. New slides have since occurred on the drain.

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize Moore Engineering, Inc. to prepare an estimate regarding the slope repairs adjacent to Cass County Highway 81 and Hector International Airport on Drain #10. Upon roll call vote, the motion carried unanimously.

Drain #10 – slide at 4101 32nd Street North, adjacent to Border States Paving, Inc.

Mr. Woodard updated the Board on the slide on Drain #10 at 4101 32nd Street North, adjacent to Border States Paving, Inc. He explained the sewer and water line is being replaced and old utilities are being removed. He said progress has been slow moving, due to wet conditions, but hopes to see utility work completed by the end of the week, so repair to the road can begin.

Mr. Fredricks updated the Board on legal issues regarding the slide on Drain #10, adjacent to Border States Paving, Inc. and will continue to provide updates.

Drain #21 Improvements

Kurt Lysne distributed an *Engineer's Opinion of Probable Cost* for 4 alternatives for improvements to Drain #21. Mr. Lysne said a report regarding Drain #21 Improvements will be sent to the North Dakota Department of Transportation.

Drain #45 – easement / encroachments on Strata Corporation property

Kyle McCamy discussed the Drain #45 easement and encroachments on Strata Corporation property with the Board and said 2 Strata Corporation buildings currently encroach onto Drain #45 right-of-way.

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the following regarding the Drain #45 easement and encroachments on Strata Corporation property:

- *Exchange Agreement*;
- *Quit Claim Deed* to release existing easement to Landmark Investments, L.L.C.;
- *Quit Claim Deed* to convey ownership of a 0.06 acre parcel to Landmark, L.L.C.; and
- *Permanent Easement* from Landmark Investments, L.L.C. to Southeast Cass Water Resource District.

Upon roll call vote, the motion carried unanimously.

Recreational Plan on Southeast Cass WRD facilities

The Board discussed the development of a Recreational Plan on Southeast Cass Water Resource District facilities. Mr. Engels presented history of the recreational use of facilities and suggestions regarding a Recreational Plan.

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize Moore Engineering, Inc. to develop preliminary information and appear before the West Fargo Park District Board and the cities of West Fargo and Horace regarding a Recreational Plan on Southeast Cass Water Resource District facilities.

Utility Permit for Midcontinent Communications to install fiber optic cable under Drain #40 south of 7th Avenue North

It was moved by Manager Jacobson and seconded by Manager Yohe to approve the *Utility Permit* for Midcontinent Communications to install fiber optic cable under Drain #40 south of 7th Avenue North, with the conditions provided by the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Correspondence from the Fargo Department of Planning and Development

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize the Water Resource District Engineer to review and submit comments regarding the following correspondence from West Fargo Planning:

- June preliminary packet;
- Timber Creek Second Addition;
- Timber Creek Third Addition;
- Preliminary Plat for Commerce on 12th Addition;
- Commerce on 12th Addition;
- Rocking Horse Farm 2nd Addition; and
- Parkview at Silverleaf Addition.

Upon roll call vote, the motion carried unanimously.

Correspondence from West Fargo Planning

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize the Water Resource District Engineer to review and submit comments regarding the following correspondence from West Fargo Planning:

- Planned Unit Development Amendment in Lot 1, Block 1, Christianson 2nd Addition; and
- Conditional Use Permit in Lot 3, Block 2, West Fargo 3rd Addition for a temporary concrete batch plant for construction projects.

Upon roll call vote, the motions carried unanimously.

2013 Audit

The Board reviewed the 2013 Audit of the Southeast Cass Water Resource District. The matter will be discussed at the next meeting.

Bills

It was moved by Manager Yohe and seconded by Manager Jacobson to approve payment of Checks #11217 and #11224 through #11245 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Brodshaug, Jacobson and Yohe. The Chairman declared the motion passed.

Sheyenne River dikes between Horace and West Fargo – letter to property owners

Discussion was held about sending letters to property owners along the Sheyenne River, south of I-94 to Horace, addressing the need for berms and dikes to remain in place to prevent the river from breaking out and flooding adjacent property and neighborhoods. Mr. Engels will prepare a draft for review at a future meeting.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Jacobson, seconded by Manager Yohe and unanimously carried to adjourn the meeting.

APPROVED:

Mark Brodshaug
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer